

March 2, 2005

Rosemary Center,  
General Counsel  
Election Registry  
140 Walnut Street  
Frankfort, Ky., 40601

Dear Ms. Center;

I am requesting an official Registry advisory based on the following scenario. I'm currently employed by Channel 27 news in Lexington and appear almost nightly on the public airwaves. Now, I'm considering a race for Judge-Executive in Garrard County in 2006. That presents me with a unique problem. I must change jobs before I form a finance committee or file candidacy papers because once I do anything officially and formally, federal equal-time provisions would allow any and all opponents to ask for air time equivalent to the time I'm on the air nightly.

Obviously, aside from the inherent conflict-of-interest involved, that would be a prohibitive barrier to my potential candidacy. Simply put, I will have to change jobs in order to run. Since that would involve a dramatic life-changing decision (especially considering I'm 59 years old!) I want to gauge precisely the level of support of my potential candidacy in advance before making such a risky decision.

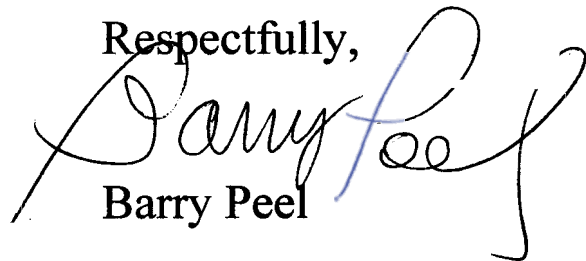
To that end I wish to know the acceptable legal parameters involved in gauging that level of support minus

a formal finance committee and formal filing. I understand Brereton Jones previously received a similar advisory and I further understand that, since it is applicable and protective only of him, I need one for myself to cover my situation.

What I would like to do is utilize the energy and help of volunteers to conduct phone survey/polls among the registered voters of Garrard to gauge my level of support. I have no intention of paying anyone or recompensing expenses to anyone. This work would strictly be voluntary with no money raised or spent to support the effort in any way. Simply put: Can I legally do that without compromising my non-candidate status and complying with all applicable election finance laws?

I thank you in advance for your help and attention. I would prefer not to be contacted at work.

Respectfully,

A handwritten signature in blue ink that reads "Barry Peel". The signature is stylized with a large, looping "B" and a long, sweeping "P" that extends to the right.

Barry Peel

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